

RENE L. VALLADARES
Federal Public Defender
State Bar No. 11479
RICK A. MULA
Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577/Phone
(702) 388-6261/Fax
Rick_Mula@fd.org

Attorney for Jesus Aguirre-Ortiz

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,
Plaintiff,
v.
Jesus Aguirre-Ortiz,
Defendant.

Case No. 2:24-cr-00176-DJA

Stipulation and ~~Proposed~~ Order

Mr. Aguirre-Ortiz was charged by criminal information on August 6, 2024, with four counts: **(1)** Operating a Motor Vehicle while Under the Influence of Alcohol (a violation of 43 C.F.R. § 8341.1(f)(3)); **(2)** Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher (a violation of 43 C.F.R. § 8341.1(d); NRS § 484.110.1(b)); **(3)** Driving without Valid Driver's License (a violation of 43 C.F.R. § 8341.1(d); NRS § 483.550(1)); and **(4)** Motor Vehicle in a Closed Area (a violation of 43 C.F.R. § 8364.1(d)). (ECF No. 1.)

Mr. Aguirre-Ortiz entered a plea agreement. (ECF Nos. 16.) Under that agreement, Mr. Aguirre-Ortiz pleaded guilty to Count One. (ECF No. 15.) Counts

1 Two, Three, and Four were dismissed. (*Id.*) Mr. Aguirre-Ortiz was sentenced on
 2 Count One as follows:

3 One-year term of Unsupervised Probation with special
 4 conditions:

- 5 1. \$500.00 Fine and \$10.00 Mandatory Penalty
 6 Assessment;
 7 2. Attend/ Complete the Lower Court Counseling's
 8 DUI Course and Victim Impact Panel;
 9 3. Attend/ Complete an Eight (8) hour online alcohol
 awareness course; and
 10 4. Defendant must not violate any local, state, or
 11 federal laws.

12 Should Defendant complete conditions 1, 2, 3, and 4 of
 13 unsupervised probation within one (1) year, and has not
 14 violated any local, state, or federal laws during that time,
 15 the parties agree to jointly move to allow the Defendant to
 16 withdraw his guilty plea to Count One. Government will
 17 move to amend Count One to a charge of Reckless Driving.
 18 The parties will jointly request that the original sentence
 19 be applied to the Reckless Driving conviction.

20 (*Id.*)

21 Mr. Aguirre-Ortiz has completed the special conditions of his unsupervised
 22 probation in accordance with his plea agreement and sentence. Accordingly, the
 23 parties agree that Count One should be amended to Reckless Driving, and the status
 24 conference set for July 25, 2025, at 11:30 AM should be vacated.

25 Dated: June 4, 2025

26 Respectfully submitted,

27 Rene L. Valladares
 28 Federal Public Defender

Sigal Chatnah
 29 United States Attorney

30 /s/ Rick A. Mula
 31 Rick A. Mula
 32 Assistant Federal Public Defender

33 /s/ Skyler H. Pearson
 34 Skyler H. Pearson
 35 Assistant United States Attorney

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Order

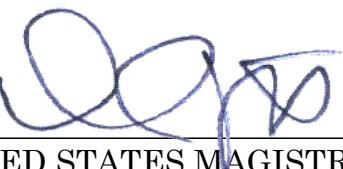
The Court finds that Mr. Aguirre-Ortiz has completed the special conditions of his unsupervised probation in accordance with his plea agreement and sentence.

IT IS THEREFORE ORDERED that Mr. Aguirre-Ortiz is permitted to withdraw his guilty plea to Count One: Operating a Motor Vehicle Under the Influence.

IT IS FURTHER ORDERED that the Court, consistent with the plea agreement and sentence, enters a plea of guilty to Amended Count One: Reckless Driving.

IT IS FURTHER ORDERED that the status conference set for July 25, 2025 at 11:30 AM is vacated.

DATED this 5th day of June, 2025.



UNITED STATES MAGISTRATE JUDGE